



Arizona Medical Board

9545 E. Doubletree Ranch Road • Scottsdale, AZ 85258-5514
Telephone: 480-551-2700 • Toll Free: 877-255-2212 • Fax: 480-551-2705
Website: www.azmd.gov • E-Mail: questions@azmd.gov

August 12, 2009

Debra Hill
Osborn Maledon
The Phoenix Plaza, 21st Floor
2929 North Central Avenue
Phoenix, AZ 85012

RE: Terry L. Simpson, M.D.
Case # MD-07-0364A

Dear Ms. Hill:

The purpose of this letter is to inform you that during the course of the August 5, 2009, public meeting, the Arizona Medical Board (Board) reviewed the above-referenced complaint and all pertinent evidence and information gathered during the investigation. At the conclusion of its review, the Board voted to issue Dr. Simpson this Advisory Letter for improperly performing a colorectal anastomosis and within six months complete 15-20 hours of Board staff pre-approved Category I CME in GI stapling techniques and related complications. The CME hours shall be in addition to the hours required for the biennial renewal of medical licensure. This is a minor or technical error that does not rise to the level of discipline.

An advisory letter is a non-disciplinary action, and is not subject to review by either the Board or the Courts. See *Murphy v. Board of Medical Examiners of the State of Arizona*, 190 Ariz. 441, 949 P.2d 530 (App. 1997). However, the licensee may file a written response to the letter with the Board within thirty days after its receipt A.R.S. § 32-1451(E)(3). If timely received, the response will be attached to the advisory letter and maintained in the licensee's permanent file. The written response will also be hyperlinked to the licensee's profile on the agency's website.

Please contact Kathleen Muller, Compliance, at 480-551-2716 prior to registering for CME, for pre-approval.

Sincerely,

Mary Bober

Mary Bober
Board Coordinator
E-Mail: boardcoordinator@azmd.gov
Phone: (480) 551-2820
Fax: (480) 551-2705

cc: Permanent File
Enclosure: CME Order



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August 12, 2009

Steve Myers
Myers & Jenkins, P.C.
One E. Camelback Rd., Suite 500
Phoenix AZ 85012

RE: Terry L. Simpson, M.D.
Case # MD-07-0364A

Dear Mr. Myers:

The purpose of this letter is to inform you that during the course of the August 5, 2009, public meeting, the Arizona Medical Board (Board) reviewed the above-referenced complaint and all pertinent evidence and information gathered during the investigation. At the conclusion of its review, the Board voted to issue Dr. Simpson this Advisory Letter for improperly performing a colorectal anastomosis and within six months complete 15-20 hours of Board staff pre-approved Category I CME in GI stapling techniques and related complications. The CME hours shall be in addition to the hours required for the biennial renewal of medical licensure. This is a minor or technical error that does not rise to the level of discipline.

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Sincerely,

Mary Bober

Mary Bober
Board Coordinator
E-Mail: boardcoordinator@azmd.gov
Phone: (480) 551-2820
Fax: (480) 551-2705

cc: Permanent File
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LAW OFFICES

Myers & Jenkins

A PROFESSIONAL CORPORATION

One East Camelback Road
Suite 500
Phoenix, Arizona 85012

Telephone (602) 200-7900
Facsimile (602) 200-7910
E-mail: ec@mjlegal.com

Stephen W. Myers

September 4, 2009

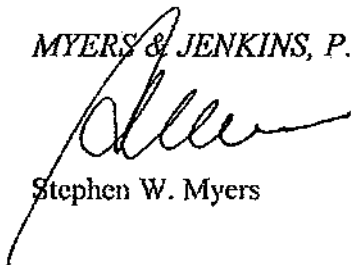
TO WHOM IT MAY CONCERN

Re: Terry L. Simpson, M.D.
Case No. MD-07-0364A

I am writing on behalf of Dr. Simpson in response to the Board's advisory letter in this case. Although an advisory letter is not designated as discipline, Dr. Simpson believes that it is important that the public hear his side of the case here. In the advisory letter, the Board found that Dr. Simpson did not properly perform a colorectal anastomosis for a patient. On behalf of Dr. Simpson we submitted the written opinions of eight board certified specialist physicians, who stated that Dr. Simpson had in fact correctly performed the colorectal anastomosis.

Very truly yours,

MYERS & JENKINS, P.C.


Stephen W. Myers

SWM:ec

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **TERRY L. SIMPSON, M.D.**

4 Holder of License No. 21784
5 For the Practice of Allopathic Medicine

6 In the State of Arizona.

Case No. MD-07-0364A

**ORDER FOR CONTINUING MEDICAL
EDUCATION**

(NON-DISCIPLINARY)

7
8 At its public meeting on June 3, 2009, the Arizona Medical Board ("Board") voted to
9 issue an Advisory Letter to Terry L. Simpson, M.D. ("Physician") for improperly performing
10 a colorectal anastomosis. This matter was a one-time technical violation and does not rise
11 to the level of discipline. In addition, the Board voted to require Physician to obtain 15-20
12 hours of non-disciplinary CME in GI stapling techniques and related complications within
13 six months pursuant to A.R.S. §32-1401(27)(q) and §32-1451(E)(2).

14 **ORDER**

15 IT IS HEREBY ORDERED that Physician shall, within six months, complete 15-20
16 hours of Board Staff pre-approved Category I Continuing Medical Education ("CME") in GI
17 stapling techniques and related complications, and provide Board Staff with satisfactory
18 proof of attendance. The CME hours shall be in addition to the hours required for biennial
19 renewal of his medical license. Respondent's failure to complete the CME will subject him
20 to future disciplinary action by the Board. A.R.S. § 32-1401(27)(r).

21 **RIGHT TO APPEAL**

22 **NOTICE IS HEREBY GIVEN** that, pursuant to A.R.S. § 41-1092.03, any person aggrieved
23 by this decision may apply to the Board, in writing, within thirty (30) days of receipt and
24 request a public hearing with respect to this order. You may request a hearing by filing a
25

1 notice of appeal. The notice of appeal must be filed with the Board's Executive Director,
2 and should include your name, address, the action being appealed, and a concise
3 statement of the reasons for the appeal. If you request a public hearing, the hearing will be
4 scheduled within sixty (60) days of receipt of your request. If you request a public hearing,
5 you also have the right to request an informal settlement conference by filing a written
6 request with the Board, pursuant to A.R.S. § 41-1092.06, no later than twenty (20) days
7 before the scheduled hearing. The conference will be held within fifteen (15) days after
8 receipt of your request. Please note that you waive any right to object to the participation of
9 the Board's representative in the final administrative decision of the matter if it is not settled
10 at the conference.



day of August, 2009.

ARIZONA MEDICAL BOARD

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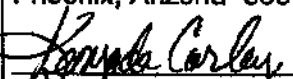
By 
LISA S. WYNN
Executive Director

ORIGINAL of the foregoing filed this
12 day of August, 2009 with:

Arizona Medical Board
9545 East Doubletree Ranch Road
Scottsdale, Arizona 85258

EXECUTED COPY of the foregoing
Mailed by US Mail this 12 day of August, 2009 to:

Debra Hill
Osborn Maledon
The Phoenix Plaza, 21st Floor
2929 North Central Avenue
Phoenix, Arizona 85012


Lynette Corley
Arizona Medical Board Staff